

Notice of Allowability

Application No.

09/762,542

Examiner

Dov Popovici

Applicant(s)

BRYAN ET AL.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE and Amendment filed on 9/15/05.
2. ☒ The allowed claim(s) is/are 1,6-20,22,23 and 25-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20060628.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Dov Popovici
Primary Examiner
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Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/15/2005 has been entered.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeff Limon on 6/29/06.

The application has been amended as follows:

In the specification:

In the specification, page 1, line 7, after "Brewster, et al.", insert –
Now, U.S. Patent # 7,065,497, issued on June 20, 2006--.

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In the claims:

In claim 1, line 8, before "user", change "the" to –a--.

In claim 1, line 10, before "delivery", delete "the".

In claim 6, line 2, delete "the" first occurrence.

In claim 7, line 2, before "one", delete "the".

In claim 7, line 5, change "publications" to –publication--.

In claim 8, line 2, before "one", delete "the".

In claim 8, line 6, change "publications" to –publication--.

In claim 12, line 7, before "user", change "the" to –a--.

In claim 12, line 8, before "delivery", delete "the".

In claim 15, line 1, change "12" to –13--.

In claim 16, line 4, delete ", and the like".

In claim 26, line 2, change "a" to –the--.

In claim 26, line 4, change "a" to –the--.

In claim 27, line 7, before "user", change "the" to –a--.

In claim 27, line 8, before "delivery", delete "the".

In claim 29, line 3, delete ", if any".

In the abstract:

Please add and/or replace the abstract with the following new abstract:

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--A method for receiving information at a document delivery server from a producer to generate and/or update a publication profile, periodically acquiring content objects from one or more content providers based, at least in part, on the publication profile, and generating the publication utilizing one or more of the retrieved content objects. According to one implementation, the generated publication is a mock-up, which is presented to the producer to review and/or edit prior to final publication.--

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The prior art of record (namely, Ferrel (U.S. 5,860,073) and Park (U.S. 5,717,974)) do not disclose, teach or suggest, initiating delivery of a product subsidy when a user has printed a predetermined number of publications that include advertising, wherein an advertiser funds delivery of the product subsidy, as claimed in claim 1.

The prior art of record (namely, Ferrel (U.S. 5,860,073) and Park (U.S. 5,717,974)) do not disclose, teach or suggest, a virtual editor, to dynamically select one or more content objects for use in a personalized publication based, at least in part, on a publication profile, and distribution module that provides a product subsidy to a user, wherein an advertiser funds delivery of the product subsidy, as claimed in claim 12.

The prior art of record (namely, Ferrel (U.S. 5,860,073) and Park (U.S. 5,717,974)) do not disclose, teach or suggest, a dynamic editor function to dynamically select content objects for generation of a personalized publication based, at least in part, on the publication profile, and a distribution function that distributes a product subsidy to a user, wherein an advertiser funds delivery of the product subsidy, as claimed in claim 27.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dov Popovici whose telephone number is 571-272-4083. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Dov Popovici
Primary Examiner
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